



61 AF
c 2662

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Spruyt et al. : Attorney Docket No. 902.553-1

Serial No.: 10/082,631 : Examiner: John Pezzlo

Filed: February 22, 2002 : Group Art Unit: 2662

For: MODULATION/DEMODULATION OF A PILOT CARRIER, MEANS AND METHOD
TO PERFORM THE MODULATION/DEMODULATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

AUG 11 2004

Technology Center 2600

RESPONSE TO FINAL OFFICE ACTION (Paper No.10)

Sir:

This responds to the Final Office Action, mailed May 17, 2004.


In the patent application, claims 4-12 are pending. In the office action, all pending claims are rejected.

At page 2 of the office action, claims 4-12 are rejected under 35 U.S.C. 102(e) as being anticipated by *Timm et al.* (U.S. Patent No. 6,055,268, hereafter referred to as *Timm*). The Examiner alleges that *Timm* discloses a VDSL modem as claimed.

In the claimed invention, three elements are involved:

1. user data elements modulating a carrier;
2. a pilot carrier multiplexed with the carrier; and
3. the pilot carrier modulated with part of the user data elements.

I hereby certify that this correspondence is being deposited today,
August 4, 2004, with the United States Postal Service with
sufficient postage as first-class mail in an envelope addressed to:
Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450.


Cathy Sturmel

OK
TO
ENTER
8/10/04